

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)	
)	
of the Educator Certificate of)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Joy Michelle Harper)	
)	
Certificate 903873)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on Wednesday, May 11, 2005. On March 22, 2005, the Office of Teacher Certification sent Joy Michelle Harper a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educator certificate by certified mail, return receipt requested, delivery restricted to addressee. Ms. Harper received the notice as evidenced by the signed postal receipt. Ms. Harper did not request a hearing within the time frame specified in the notice letter. After considering the evidence presented, the State Board voted to suspend Ms. Harper's certificate for one year.

FINDINGS OF FACT

Ms. Harper holds a valid certificate and has eight years of teaching experience, all with the Career and Technology Center of Anderson County School District One and Two (Center) where she taught Health and Medical Science Technology. Ms. Harper was under contract for the 2004-05 school year when over the 2004-05 holiday break, she left a message on the Director of the Center's answering machine stating that she was resigning. Ms. Harper did not return to work after the holiday break on January 3, 2005, nor did she make a written request to be released from her contract. On March 3, 2005, the Board of Trustees voted to request suspension of Ms. Harper's certificate as a result of her breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient evidence supporting its conclusion that Ms. Harper breached her contract with Anderson County School Districts I & II Career and Technology Center, warranting the suspension of Ms. Harper's certificate 903873 for a period of one year, from May 11, 2005, through May 10, 2006. Should Ms. Harper wish to have her certificate reinstated at the end of the suspension period, she may make a written request for reinstatement to the Office of Teacher Certification.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester, Chair

Columbia, South Carolina
May 11, 2005